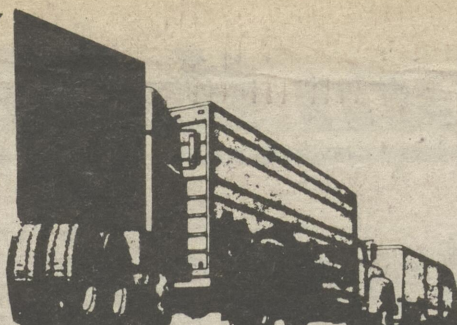
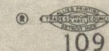




CONVOY DISPATCH

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975

April 1987
#69



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After 18-Month Battle Against Union-Busters

Watsonville Strikers Win

Joe Fahey
Recording Secretary, Local 912
Watsonville, California

The newspaper headlines of Wednesday, March 4, screamed the news: "Watsonville Strike All But Over." A photo showing the smiling cannery owner and Teamster officials claiming victory made most reporters certain that the tentative agreement would be quickly ratified by the 1,000 strikers. This was not to be.

The rank and file, mostly Latina women strikers, would write the last chapter of this historic eighteen-month struggle. The big news was that after eighteen months on strike, there was a contract offer. This happened because Watsonville Canning had been forced out of business by Wells Fargo Bank, which had finally foreclosed on the \$23 million of unpaid loans it had made to the company throughout its unsuccessful bid to bust our union. Foreclosure had come only six weeks after the striking membership voted to launch a grassroots campaign against the bank.

A new operator, David Gill, came forward with a newly-created com-



The 1000 Watsonville Teamsters fought union-busting tactics through an 18 month strike to save their jobs and contract.

pany, Norcal Frozen Foods, to run the plant. Gill, a grower who is owed more than \$5 million by Watsonville Canning, inherited the plant as a means to recoup his losses and to find a home for his vegetables. He wasted no time in negotiating with the Teamsters, because his own spinach lay rotting in the fields and he needed the cannery running.

While the newspapers and the Teamster spokesmen were proclaiming victory, most people on the picket line remained cautious. Some were concerned that the International was in a hurry to end the payment of strike benefits by pushing through any contract. In fact, they had threatened to put the local into trusteeship only two weeks earlier.

On Friday, March 6, over 500 strikers filled the Veterans' Hall to hear details of the proposal. They were told about this grand victory, and about all of the good points of the settlement—a union contract, wage parity with the other Watsonville plants, and strikers would return to work in seniority order with no scabs.

Not made clear was a problem with the contract. It treated returning strikers as new employees, which

meant they would have to requalify for medical benefits, which could take up to three years for 85% of the workforce. When I raised my hand to clarify this point, and was not recognized, hundreds of people began to whistle, shout, clap their hands and stomp their feet. In the debate on the proposal, the Joint Council 7 official announced to the strikers for the first time that, as far as the Teamster officials were concerned, the strike was over, strike-benefit checks had been cut off, and that the two-thirds rule was invoked.

Despite this, the rank and file voted 283 to 193 by secret ballot to postpone the vote. The courage, initiative and organization of the strikers was now put to the test more than it ever had been before. They were locked out of their union hall for the first time in the eighteen months of the strike. The rank and file responded with a renewed energy in the next few days.

Friday, following the vote, six women began a hunger strike for medical benefits, camped on the front lawn of a strike supporter who lives across the street from the cannery, and this became the new headquarters for

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Double-Breasting Threat Hits Carhaul

Friday, March 13 was not a good day for Detroit CCI drivers or for the carhaul contract. On that day, drivers learned of a decision by the National Carhaul Negotiating Committee that basically lets Ryder hand over Allante traffic to a subsidiary, F. J. Boutell. The double-breasting sellout also paves the way for Ryder to get this traffic hauled on a cut-rate basis.

This move came on the heels of CCI drivers twice rejecting a management demand that prime Allante traffic be hauled on a cut-rate, running mile basis by sleeper teams. It was in response to this firm stand by Local 299 drivers that Ryder brought in the Boutell subsidiary to steal the traffic. Ryder also stated that they plan to let Boutell drivers deliver other models from GM's "New Detroit" plant, further threatening CCI drivers' current work and weakening the contract.

In February, the National Negotiating Committee conducted the hearing at its Florida meeting and subsequently ruled that Boutell is not an "alter ego" used by Ryder to evade the contract, and further, that it "has, and is, continuing to comply with the

terms" of the carhaul contract. Union panel members were Walter Shea, George Rohrer, Morand Schmitt, Sam Stintzman and Charlie Thompson.

This is not the last battle over this double-breasting threat. Local 299 drivers have been galvanized by the issue. Meetings have been conducted, a newsletter is in the works, and grievances over following the work are being considered. Legal options are also being explored.

Currently the Boutell drivers are hauling the traffic at full-rate, but a vote will be taking place on a running mile rate with sleeper teams. The vote could be an opening for Local 299 to continue to fight this sellout. In facing this fight, a crucial fact must be faced by rank and file members, and Local 299 officers like Ron Owens and Charlie Lee. Owens and Lee came to office as supporters of Jackie Presser and Walter Shea. So far, Presser and Shea have not even felt compelled to explain how they will prevent the Boutell double-breasting precedent from undercutting gains made by decades of work.

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From the Members

Drivers Take a Beating on TV

I'm tired of the beating truck drivers take on television these days. I missed Barbara Walters' 20/20 attack a while back, but recently while I was laying over in Morgantown, Pennsylvania, I caught a *Today Show* piece on truck safety. Let me tell you, the interviewer did the audience a great disservice by taking sides against the only person on the show who knew what was going on. His name is Ken Paff, and he's with Teamsters for a Democratic Union.

When he tried to explain how bad the pressures on truckers have become—from shippers and bosses—the lady looked into the camera and then raised her eyes. It was as if she was telling the audience, "You're not going to believe this guy are you?" The public needs to be educated about the problems on our highways, but television news people seem determined to put down the truth whenever someone gives it.

"18 Point Turner"
Chicago, Illinois

Feels Sense of Pride Again

Joining TDU has made me feel a sense of pride again in being a Teamster. I was disgusted with the union leadership, both nationally and locally, and felt that all the hypocritical things they do and say are an insult to our intelligence. I saw my father and his friends spend their entire lives in Teamster jobs, only to be cheated out of their maximum pensions. I've been cheated out of insurance benefits and

treated like dirt after being disabled for two years due to a job-related injury. I was put under tremendous pressure by Yellow Freight, and my local union did very little to help me. Now I am a union steward, devoting a good deal of time to that job.

The last national freight contract really clinched it for me. It's bad enough to fight hypocritical and insincere employers, but worse to have to fight the union as well. I got fed up and I'm glad to be with TDU. Keep up the good work.

Frank DeGeorge
Local 404
Springfield, Massachusetts

Convoy Dispatch Gives Hope

I want to tell you how much I enjoy reading the voice of the Teamster rank and file. As a labor editor myself, I come across hundreds of union publications. Yours is one of the best. It pulls no punches, is pleasing to the eye, and gives hope to your members, who, until TDU's inception, had none. More than hope however, it gives Teamsters practical and sensible ideas on how to actively change their union. Continue giving your members the true story and keep up the good work.

George Smilnak
Editor, CWA Local 4309 'Perception'
Cleveland, Ohio

Bequests

Several Teamsters have inquired about putting TDU in their wills. We welcome this form of support for the future of our union, and can provide information upon request to anyone interested.

TDU Steering Committee

Co-Chairs:	Members:
Pete Camarata, #299	Doug Allan, #208
Dan Campbell, #486	Millie Grant, (#728)
Joseph Day, #170	Diana Kilmury, #213
Linda Gregg, #435	Tom Pizzuto, #863
Organizer:	Mike Savoir, #41
Ken Paff, #407	Pete Sercombe, #150
Trustees:	Gail Sullivan, #278
John Braxton, #623	Alternates:
Mike Friedman, #407	Archie Cook, #705
Doug Mims, #728	Sam Fenn, #63
	Delmar Bequette, #600

MOVING? Please notify us of any change of address. Otherwise you will not receive your *Convoy Dispatch*, as it is sent third class mail and will not be forwarded to you. Use the membership application in any issue of the paper to let us know you are moving, and write on the top of the form: **CHANGE OF ADDRESS.**

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How To Contact TDU

We want to hear from you. Contact us at one of the locations listed below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

TDU National Office: P.O. Box 10128, Detroit, MI 48210. (313) 842-2600.

TDU/PROD Washington Office: 2000 P St. NW, Room 612, Washington, DC 20036. (202) 785-3707.

TDU NY/NJ Office: YWCA Building, Room 620, 30 Third Ave., Brooklyn, NY 11217. (718) 834-0631.

Teamster Cannery Workers Organizing Project: Box 8548, San Jose, CA 95155. (408) 289-8415.

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers — every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1986 for one year. Our Rank & File Convention had over 400 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to reform or to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT HOUR DAY AND FIVE DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

SPREAD the WORD Distribute Convoy Dispatch

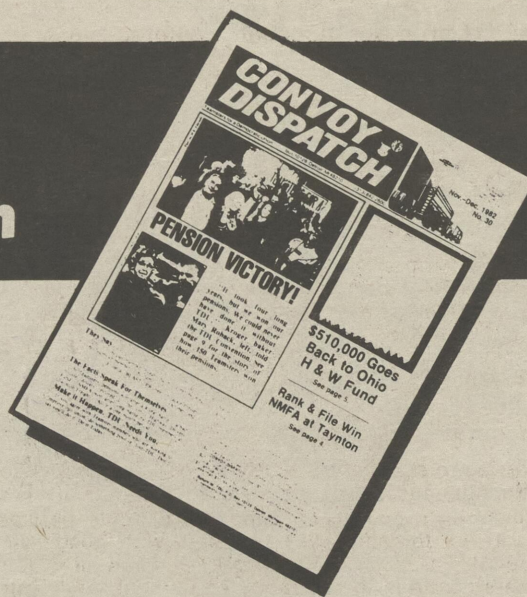
Every month tens of thousands of working Teamsters depend on *Convoy Dispatch* for hard news on the union, special educational features, and updates on the progress of the rank and file movement.

But they don't get it at a newsstand or drugstore. They get it from a Teamster like yourself who is willing to help keep other Teamsters informed by distributing copies each month.

Help us help all Teamsters by signing up for a monthly bundle of *Convoy Dispatch*. For a small cost you can help spread the word. Use the order form at right today.

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(Names are kept confidential from employers and union officials.)





Washington Watch

What's In It For Us?

Legislative Changes on the Horizon

Unions, union members and some members of Congress are in the process of creating a legislative agenda that has the possibility of enhancing workers' rights. Legislation already proposed ranges from plant closing and parental leave bills to changes in the Occupational Safety and Health Act. Also possible in the coming months are steps to increase the minimum wage and to regulate polygraph and drug testing. A brief rundown of possible 1987 legislation follows here.

• **Plant Closing Bill.** Every year over two million Americans lose their jobs through plant closings or permanent layoffs. Legislation proposed would require that companies give notice of intention to close plants or lay off workers. Moreover, it would require that companies consult with unions and affected communities about proposed closings. An additional provision provides for government sponsorship of readjustment funds.

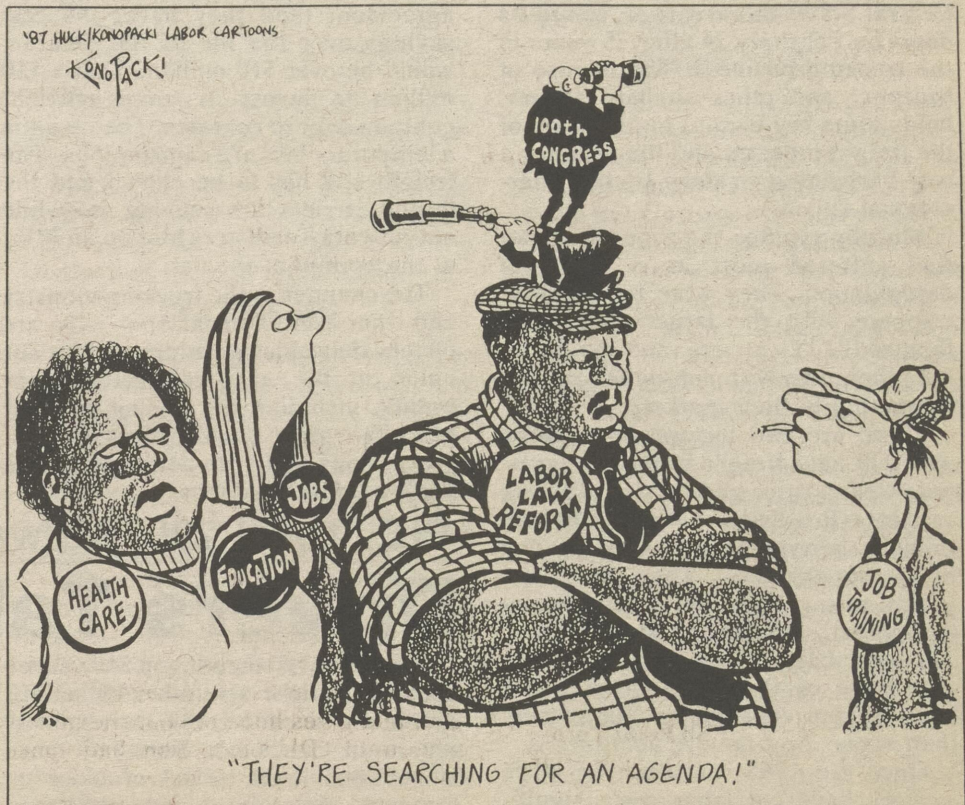
• **Double-Breasting in the Construction Industry.** Bills to prevent employers under union contract from setting up a non-union operation have been introduced in both the House and Senate. Similar legislation to protect trucking employees has been under discussion, but its introduction does not seem likely. The construction industry legislation was approved in the House last year, but was not introduced in the Senate. It seems likely to become law this year.

• **Parental Leave Bill.** Every year thousands of workers, primarily women, lose their jobs when they temporarily leave work because of childbirth. Under this bill employers with more than fifteen employees

would be required to provide unpaid leaves of absence for both men and women workers for childbirth, adoption or elderly parent care for a period of eighteen weeks. The bill also requires employers to provide twenty weeks of unpaid leave for medical emergencies.

• **Amendments to the Occupational Safety and Health Act.** Under a bill proposed by Senator Metzenbaum (D-OH) employers in high-risk industries, like the chemical industry, would be required to notify each employee of the risks associated with their job. The bill also proposes improved exposure standards for certain toxic chemicals.

• **Increasing the Minimum Wage.** Senator Kennedy (D-MA) has promised to address the minimum wage law in this session of Congress. Under the current minimum wage law, people who work fulltime at the \$3.35 per hour rate end up earning only \$6,700 per year, or \$3,000 less than the poverty level for a family of four. Secretary of Labor Brock is opposed to an increase, but the legislation has strong backing from the AFL-CIO.



New Department of Transportation Proposals To Allow Self-Inspection by Carriers

The Department of Transportation (DOT) has proposed revisions in two important parts of the Federal Motor Carrier Safety Regulations and has asked for comments from the public. We urge TDU members in the freight industry to write to the DOT and your Congressional representatives in order to stop negative changes and get regulations that give drivers more safety protections.

The DOT proposes to amend Section 393 of the regulations and to supple-

ment roadside inspections with the requirement that carriers perform a self-inspection at least once a year. For carriers with less than five tractors, inspections would be performed under government supervision. The DOT proposals reject the idea of federal government inspections sites and of government-monitored inspections, arguing that these would be too costly.

Only where the states create an inspection system requiring annual inspections of trucks by state person-

nel would the federal government require compliance with such a program. Under the DOT proposals, the inspection need not even be performed by a qualified mechanic or licensed inspector, but simply by an individual who shows an understanding of the equipment and the regulations.

The government has also proposed extensive changes in Section 396 (Parts and Accessories Required for Safe Operation), including: 1. Requiring parking brakes on all trailers; 2. Requiring that all exhaust systems discharge exhaust only behind the cab; 3. Requiring additional lighting on trailers and dollies; 4. Prohibiting the use of trucks with cracked frames or wheels; 5. Prohibiting the use of cracked or broken springs and torsion bars on suspension systems; 6. Permitting the use of water beds in sleeper cabs.

Jifflox Recall Stalled

Last month the National Highway Traffic Safety Administration (NHTSA) rejected a proposed settlement offer from TODCO, the manufacturer of the Jifflox dollies. In December the agency asked TODCO to recall the dollies after finding four safety defects. TODCO met with the agency, and in their first admission that the Jifflox can be unsafe, offered to place a metal warning sign on the dolly explaining proper hooking procedures and warning drivers to never move the dolly by hand.

TODCO also offered to provide each driver with a revised version of the instruction manual. The current manual completely ignores the problems inherent in hooking the dollies. NHTSA has rejected this settlement offer, finding it insufficient to address the problems.

Unfortunately, NHTSA has also decided that they need additional data to make a final decision, which has created further delay in the case.

Sample Letter to the DOT

Mr. Neil Thomas
Office of Motor Carrier Standards
Federal Highway Administration
400 7th Street SW
Washington, D.C. 20590

Dear Mr. Thomas

I am a professional truck driver, writing in response to your proposals for changes in Section 393 and 396 of the Federal Motor Carrier Safety Regulations.

Your new proposals for annual company self-inspections create no new incentives for carriers to comply. The carriers with good safety records, who maintain their equipment properly, will probably perform all required inspections. Yet many other carriers continue to use faulty equipment, and instruct their mechanics to perform "paper" repairs even if the drivers do a write-up on the truck.

These same carriers will certainly find no difficulty in instructing company mechanics to perform inspections, guaranteed to produce a satisfactory result, if they bother to perform them at all. We propose the following:

1. That if self-inspection is permitted, it be only for carriers that have maintained a satisfactory ICC safety rating.
2. That carriers with a conditional or no ICC rating be required to obtain semi-annual inspections, performed by a mechanic who is not employed by the carrier or in any way related to it.
3. That where self-inspection is allowed, it must be performed by a mechanic, licensed by the federal government or under adequate state law.
4. That more resources be devoted to enforcement of current regulations. Driver safety and the safety of the public will only be assured through aggressive enforcement of all regulations.

Washington Office

This page is devoted to news from the Washington office of TDU—formerly PROD's national office. Litigation, designing new legislation and reforming safety regulations—the Professional Drivers Council of TDU is here to help you. Contact us today at: PROD/TDU
2000 P Street NW
Room 612
Washington, DC
20036
(202) 785-3707



Concessions Don't Save Jobs

Murphy Demise Shows New Strategy Needed

Murphy Motor Freight Lines, a Central States-based carrier, closed its doors on February 24 after 75 years in the trucking business. The demise of Murphy, and other similar carriers, holds some key lessons on the state of the freight industry and the need for a new bargaining strategy by the International Union.

Murphy typifies the type of carrier that suffered most as a result of deregulation. They were too small to compete with the larger (and well-financed) LTL carriers, and too big to hold their own with non-union carriers competing in their market.

There are two factors determining who will haul freight in the deregulated market: price and service. The big carriers (Roadway, Yellow, CF) can provide the type of service demanded by most shippers. They have the capital to invest in new, cost-efficient equipment, systems, and terminals. The large LTL carriers have also taken advantage of the fact that they can haul freight cheaper by discounting their rates. And they're doing it.

Since the 1985 contract, the large carriers have cut labor costs significantly by taking advantage of concessions specifically created for them. The two-tier, new-hire wage, \$11 an hour casuals, and greater flexibility to use casual labor were concessions geared to the big carriers. They're the ones hiring and they're the ones who use large casual labor pools. With their labor costs cut, they can discount their freight rates, putting all the more pressure on the undercapitalized, weaker regional carriers.

The best example of the large carriers' use of concessions is the two-tier wage. If Roadway hired just

500 men during the life of the current agreement (and they have) the cost savings over the life of the contract would be over \$10 million. That's \$10 million to invest in more efficient equipment or to cut rates. The result is a temporary loss of Teamster jobs. The freight still has to be moved and the larger carriers are moving it—while out-of-work Teamsters hire on at 70%, at the bottom of the list.

The changes in the trucking industry and the loss of Teamster jobs are factors that must be addressed by our union in the next contract. Recent events, including the closing down of Murphy, prove again that ESOPs, concessions and a do-nothing attitude don't work to save jobs.

PIE, Local 200, Milwaukee

Drivers Take on Local's Inaction

A recent TDU meeting in Milwaukee brought to light a number of serious problems faced by PIE drivers and others in the local. Some of these issues relate back to lack of action on the part of the local and others are broader, dealing with PIE's manipulation of freight traffic throughout the region. Behind them all is the incredible fact that Local 200 PIE members are not being allowed to attend their grievance hearings.

PIE road drivers first contacted TDU when the company was using meet and turns to eliminate bid runs. Grievances filed over meet and turn runs being given to the extra board while bid drivers sat at home were turned down by the local. This move was just one part of PIE's strategy to manipulate runs and freight to cheat bid drivers of

CF's Idea of Labor Relations

I WANT IT MADE KNOW TO THEM THAT UNTIL SUCH TIME THAT THEIR STEWARD LEARNS TO WORK WITH MANAGEMENT AND STOP'S HIS FILING OF CHICKEN SHIT GRIEVANCES AND STOP'S HIS HARRASSING MANAGEMENT WITH SAID GRIEVANCES, THEY WILL NEVER AGAIN BE ALLOWED TO GO HOME EARLY PRIOR TO THEIR FULL FILLING THEIR 8 HR'S:

ANY SUPERVISOR FAILING TO FOLLOW THESE INSTRUCTIONS WILL BE SUBJECT TO IMMEDIATE DISCHARGE DUE TO "FAILURE TO FOLLOW INSTRUCTION'S":

I DO NOT INTEND TO TRY TO WORK WITH THIS LITTLE BASTARD AND HAVE HIM CONTINUE TO PUT IT UP MY DUTCH/GERMAN ASS: FUCK HIM AND THE HORSE WHICH HE RODE IN ON:

This letter to all supervisors from Wayne New Jersey supervisor D.R. Smith came out just before Christmas. Local 560 Trustee Joel Jacobson protested to top CF executives about this outrageous behavior.

In the 1988 contract, and the years following it, our union needs to take a new strategy, one that combines aggressive organizing with a halt to concessions for the giant carriers. In addition, pressure needs to be brought on union carriers to bring their non-union divisions under union con-

tract (like Spartan, Conway, etc.).

We can't hold our breath waiting for Jackie Presser to take on this strategy. Clearly it is up to the rank and file to demand it and to develop the new leadership needed to turn our union back around—before it is too late to turn back.

work and get terminals fighting with each other.

Milwaukee PIE has also tried to pay workers on compensation the "light duty" pay of \$5 per hour—a practice recently stopped by stewards in Toledo.

Drivers have filed numerous grievances over these and other problems, and have also asked to be notified of the time and location of grievance hearings. Local 200 Business Agent Frank Busalacchi's response has been "your grievance was discussed between the parties at our union hall. Based on the facts presented at that time your grievance is denied."

The danger of this practice is illuminated by a grievance filed by one Local 200 road driver in January. The grievance protested a warning letter

he had been given. Though a small issue in and of itself, a warning letter can be the first step in building a case against a member and can lead to discharge. Some locals have a standing practice of protesting all warning letters. Not Local 200. The driver was notified that his grievance had been denied and that the warning letter would stand, unprotested.

Local 200 members have decided to do something about this and other problems. On February 22 over 35 members attended a TDU meeting to see what could be done. On hand was a group from over ten companies: American Freight, Holland, PIE, UPS, Kohls and others. Plans were set for building TDU, getting members better informed and organizing a solid rank and file chapter in the local.

Freight Lines

Viking Organizing Failure Shows Need for Concerted Effort.

The Teamster organizing drive at Viking Freight on the west coast ended up 31 cards short of the required 30% to force an NLRB secret ballot vote on unionization. Viking is the largest non-union carrier in the west. The drive was carried out through local unions, with little support from the Western Conference and none from the IBT. Thus, there was no money for organizers, and little to produce good literature. Nonetheless, some locals worked hard on the effort. A majority of Viking employees joined the union in Sacramento, in some Bay Area terminals and some in the Pacific northwest. Some local officers we talked to complained that the Los Angeles locals did not pull their weight in the effort.

Although the effort fell short, it did show that interest exists among Viking workers and that support can be built. What is needed is a concerted, long-term effort. Committees of pro-union Viking employees and an overall network should be developed and supported by our union. We should help these employees legally, through OSHA and other agencies, and basically start to act like a union and show that the Teamsters do care about them. This will take funding, expertise and a rank and file approach. Those locals that participated in the drive are to be commended for their effort.

ANR Gets Part-time Casuals in Bay Area.

Oakland, California Local 70 has signed an agreement with ANR Freight for a breakbulk operation which allows four-hour casuals and other concessions that deviate from the Northern California Joint Council 7 Supplement to the NMFA. Some freight Teamsters and local officers in the

area have expressed concern that this will provide a "foot in the door" for the employers in the upcoming freight bargaining.

The Northern California supplement is superior to other Western Conference supplements, and the companies are constantly trying to lower its standards. Last year, ANR said they would locate a breakbulk terminal there (originally slated for Hercules in Local 315's jurisdiction) if they could get relief from the contract.

The agreement protects some of the better conditions in the supplement, but gives the company four-hour casuals, a "red-circle" on vacation benefits (lower for new hires). Most sick days will be preserved, with one given up. (Bay Area freight Teamsters get 11 sick days, Western States get five. This ANR rider now provides for ten). The important point is to protect all conditions in the upcoming contract and bring lower supplements up, not better supplements down.

Toledo Roadway Stalls on Gate-to-Gate Pay.

The Roadway Terminal in Toledo, Ohio is getting the reputation as one of the worst in the system. Roadway applied for relief at this terminal and the union handed them an end to wash-up time, and reduced time for drops and hooks for road men. Why Roadway, the most profitable truckline in the country, should get relief is a pretty good question—after all they racked up \$66,000,000 in profit for the first three quarters of 1986.

The old saying, "give them an inch and they'll take a mile," is always true in Roadway's case. After they received relief on the wash-up time and drop and hook time, they took several miles, from road drivers that is, by not settling up on gate-to-gate pay due since July 1, 1986. Local 20 in Toledo has stalled the efforts of the road drivers to collect their pay by telling them Roadway needs the time to get their books straight. Well, with all those profits coming in, their bookkeepers must be working overtime trying to get the books in order.

How Change of Operations Do (and Don't) Work

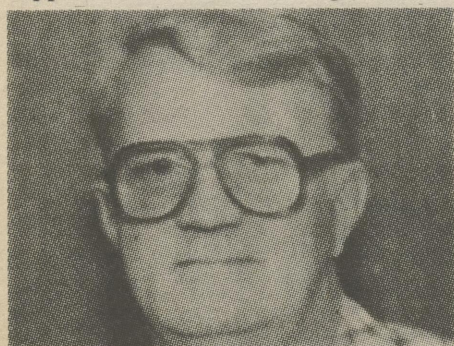
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considers this a diversion of freight, but when this fact was presented at the March meeting, Fularczyk ignored it.

- The contract makes the company give the facts to the affected local unions in advance of the hearing, so they have time to study them. Smith's presented its information at the hearing only. It was accepted without study or questioning, and without the advantage of seeing it in advance.

- Some protection can be provided by the committee through a "window period" (a period of time in which if the company hires at another terminal, they will have to take the remaining laid-off drivers). Fularczyk gave Smith's a 90 day window—it should have been twice as long.

- If the company moves members over the next three years, they are supposed to have the right under



"Red" Fularczyk: \$132,000 a year from dues. Chairs the change of operations committee which has sold hundreds of Teamster' jobs down the river.

Article 8, Section 6(d)(2)(b) to move at full scale. At the committee hearing they were told they would have to move under Article 5, Section 5—as new hires at 70%.

Smith's Transfer did the same thing to its Staunton, Virginia drivers four years ago, which led to a major lawsuit by TDUs and others. The issue is still in federal court.

The result of actions like these is division in our union and the tragedy of members out in the street after being loyal Teamsters and employees (who joined an ESOP to help their company).

Jones Truck Line

In 1986 Jones Truck Line, operating in the Midwest, South and Southwest, had a similar change of operations. In it, the Springdale, Arkansas board was partially closed down and the work moved to other terminals. Local 823 tried to represent the members, but ran into a major obstacle: Red Fularczyk. The cost in number of jobs was smaller than Smith's, but the decisions made just as bad:

- The company provided for two separate lists instead of one common pool of displaced drivers, in violation of the contract. This cost one man in Springdale a job. Fularczyk allowed it.

- Jones created a layoff in Springdale just prior to the change, diverting work to Southern Conference boards and hiring 70%ers. This cost several Springdale drivers their jobs.

Fularczyk didn't stop it.

- Just as with the Smith's hearing, Local 823 complained on the record that they could not get information from the company. Fularczyk thought it was all fine.

- The company moved 12 men out, but got rid of 28 bids. No problem for Fularczyk.

- Again, the window period was too short.

- Again, the members were told to move under Article 5, Section 5 (at 70% as new hires).

Net result: some 30 drivers were cheated out of their jobs or seniority, with union approval. The company laughed all the way to the bank.

APA Blackmail

In October, 1986, Jackie Presser got into the change of operations act, and in a bad way—throwing out dovetailing in favor of "endtailling." This was after the Eastern Conference Change of Operations Committee, to its credit, turned the company down in a deadlock decision.

APA (a mid-Atlantic carrier) merged with Sanborn (mainly a New England carrier), and APA management demanded that the Sanborn Teamsters lose their seniority and be endtailed rather than dovetailed as the NMFA, and Maryland and Pennsylvania Supplements, clearly call for. APA even tried blackmail, saying they just might call the deal off if they didn't get their way.

Maryland and Pennsylvania locals strongly objected, and the Change of Operations Committee deadlocked, refusing to give up the contract language. So it went to the national committee chaired by Jackie Presser. Presser gave it away. Some locals and members are considering legal action over this ripoff.

What Can Be Done?

The contract as written provides a measure of protection in changes of operations, especially because the company must seek approval, and the union has effective veto power over the change through the committee. The problem lies with the personnel who chair and run these committees. Fularczyk is no doubt the worst example, but others in the Western, Southern and Eastern Conferences do little better. This is what TDU is working to change.

In addition, members and local unions can still take specific action in advance of a change-of-operations hearing to protect as many jobs as possible. Some steps to take are:

- Have your local demand in writing (early) a full explanation from the company. File refusal-to-bargain charges if they don't comply.
- Carefully prepare your case, in writing, before the hearing. Do the research needed and gather documentation of such things as diversion of freight prior to the change to cause layoffs at a losing terminal.
- Contact the other locals involved to get a maximum degree of unity. Attempt to present a united front rather than fighting in front of the company.
- At the hearing, get as much as possible on the record. Do not wait for a later clarification. Once the company gets approval your chances to win anything diminish. Verbal promises mean little, so ask for assurances on the record.

Too often Teamsters contact TDU too late. As in many matters, advance preparation is the key, especially with companies that are often eager to replace you with 70% labor.

Freight Profits Increasing

If you've read your copy of the IBT/TMI Committee's "Focus on Freight," you'd think that companies under the National Master Freight Agreement were on the brink of disaster. Well, think again. This chart shows the financial statistics of the combined first three quarters of 1986. The chart includes the top thirty common carriers, as measured by revenue.

Of these carriers, 24 are under the NMFA. They make up the bulk of Teamster membership under the agreement. A quick glance at the chart will show operating ratios in the 90s (the lower the ratio, the better the standing), profits in the millions, and a general increase in tonnage—contrary to what you'll read in "Focus on Freight."

Complete full year reports will be available shortly.

Freight Carrier Statistics, First 9 Months, 1986

(all figures 000s omitted)

Company	Revenue	Net Profit	Operating Ratio	Truck Load (TL) tonnage	TL % increase	Less Than Truck Load (LTL) tonnage	LTL % increase
Yellow	\$1,203,942	\$58,415	90.70	862,523	+ 7	3,559,517	+18
CF	1,098,938	51,012	91.64	1,136,504	+14	3,034,300	+10
Roadway	1,048,139	66,410	90.10	1,008,481	+ 1	3,030,889	+10
PIE (1)	504,935	5,980	99.45	519,450	-20	1,423,030	+ 2
Overnite (2)	399,514	36,631	83.05	1,042,245	+ 1	1,765,326	+16
ABF	374,857	11,522	93.12	487,302	+17	1,174,424	+25
Carolina	319,936	12,482	92.03	761,730	+28	1,128,901	+18
ANR	301,345	(681)	100.74	840,911	-10	1,237,529	- 2
Smiths Tran. (1)	276,787	267	97.30	538,264	- 9	996,726	-10
Transcon (1)	260,412	2,082	96.39	773,653	+ 5	619,485	+ 9
Preston	241,312	4,877	95.84	687,149	-18	1,007,306	+21
American Freight	226,470	3,222	97.62	447,325	+ 1	889,681	+ 6
St. Johnsbury	175,240	7,176	91.11	339,013	+17	792,408	+15
Central Frt. (2)	150,953	4,047	94.83	912,611	+ 6	908,814	- 5
Brown Tr. (2)	150,593	4,334	94.69	1,328,991	+ 1	497,907	+ 1
Pilot (3)	137,271	(5,049)	102.03	294,869	- 1	585,895	+ 2
Bowman (5)	134,957	3,081	96.10	987,730	+15	438,239	+ 4
Central Transport	190,090	4,422	95.09	2,354,302	-15	986,884	+ 9
Viking (2)	123,819	3,970	94.19	182,450	+49	438,052	+26
Jones Truck Line	122,019	4,353	93.20	171,697	-15	622,302	+ 9
APA/Sanborn (4)	111,557						
Thurston (2)	100,935	(1,106)	100.57	469,599	- 6	450,990	+10
Holland	92,161	5,752	85.56	208,361	-14	558,340	+22
CW Transport	87,219	97	100.46	266,562	-50	445,516	- 2
Milne	85,791	1,785	95.25	178,342	+16	328,630	+29
Red Star	84,095	5,213	91.05	75,219	-14	373,753	+22
NW Transport	80,997	5,823	88.30	164,067	+13	218,327	+16
Old Dominion (2)	78,831	(338)	96.56	427,712	-42	323,820	- 8
Churchill	73,220	3,511	92.21	128,896	- 9	298,629	+ 8

(1) Under ESOP. (2) Non Union Carrier. (3) Under 10% wage cut. (4) APA/Sanborn figures not available because of recent merger. (5) Independent union.

Workplace Chemical Hazards and Workers' "Right to Know"

Since the 1984 chemical disaster in Bhopal, India, and as a result of a growing occupational health and safety movement, many states and the federal government have enacted "Right to Know" legislation. To greater and lesser degrees, these laws give workers rights to training and to information on the hazardous chemicals they work with.

Unfortunately, the federal law does not yet provide protection for transportation industry workers. At least nineteen state right to know laws do cover transportation workers, and their provisions vary widely. An example of possible coverage, however, is provided by the Pennsylvania law, which was enacted in 1983. Under Pennsylvania Right to Know:

- Employers must post at each workplace a notice informing employees of each hazardous substance they may come into contact with and the potential dangers of those substances.

- Every container of hazardous material must be labeled with the chemical's name, hazards created by the product, and the name of the manufacturer.

- Employers must conduct an annual training program. For each chemical that the employee may be exposed to, the employer should provide its name, the symptoms created by exposure, long-term effects of exposure and how to handle the chemical safely. In addition, a description of any equipment needed to safely handle the chemicals must be provided, as well as instructions on how to respond in an emergency.

Again, these exact provisions apply only to the Pennsylvania law. To obtain more information on coverage in your state contact a local COSH (Coalition on Occupational Safety and Health) group. A list of some COSH groups is provided in a box on this page for your information.

A total of 27 states now have right to know laws (see box). In addition, a number of cities and municipalities, including Philadelphia, have enacted legislation. Teamsters in manufacturing should be aware that all of these laws cover them to one degree or another.

In 1983 the Federal Occupational Safety and Health Administration (OSHA) enacted what they called the

"Hazard Communications Standard" to protect workers in the manufacturing sector. In 1985 a federal court ruled that the law's protection should be expanded to employees in non-manufacturing jobs. As they do with many issues, OSHA dragged their feet in implementing the judge's order. In January, 1987, the Steelworkers Union sued OSHA to get the government to extend standards to non-manufacturing workers.

Enforcement

Enforcement by OSHA of the federal standard has been slow and sporadic. Most states enforce their laws through either the state department of labor or an environmental protection agency.

Freight Teamsters Covered by IBT Program

In December, 1985, the International Union worked out a right to know program with Trucking Management Inc. Under the program a three-hour training program was mandated and specific requirements set out. For example, the company is required to provide the union with "necessary pertinent information" on a hazardous material incident as soon as possible. In the case of exposure, workers may request data sheets, and employees having to see a doctor must receive pay and be reimbursed for medical expenses. Shop workers have to be instructed in the dangers of materials like solvents, fuel, paints, batteries and so on. Before cleanup of a spill can begin, material involved must be identified to shop workers. If cleanup cannot be done without exposing employees, then it must be done by a qualified company.



Scot Lad Drivers Win Master Seniority List

In the mid-1950s, the two Chicago Teamster locals representing drivers at Scot Lad Foods in Lansing, Illinois negotiated a master seniority board with the company. As a result of this all drivers performed road and city work in order of seniority, irrespective of their local union affiliation.

In 1982, almost 30 years later, Local 705 compelled the company to split the board and insisted that separate city and road jurisdictions would be maintained. Local 705 drivers sued their local and Scot Lad in 1983 to compel restoration of the board. Local 710 was not named as a defendant, nor did it intervene on the side of the drivers to urge restoration of the master board.

Official records show that the case was settled in late 1986. *Convoy Dispatch* has discovered that the master board was restored following a vote in February, 1987. This victory was won after four years of litigation and organizing.

After signing the 1982-1985 Joint Area Cartage Agreement, Local 705 met secretly with Scot Lad to eliminate the master board. It was not until the drivers sued that they learned of the secret meeting. In January, 1983, drivers filed grievances protesting the split board. Instead of giving union representation, the then-Local 705 Secretary Treasurer, Louis Peick, stormed into the grievance hearing and ordered the neutral committee to eliminate the board. Joint Council 25 and the International Union then rubber stamped the committee's ruling.

By 1985 the attorneys had convinced the federal court judge to set the trial.

The judge ruled that under the maintenance of standards provisions of the local cartage agreement, the master board was a past practice and thus part of the contract. The judge ruled that the jury had to decide if Local 705 had the right to eliminate the master board without a vote of the members.

Local 705 then produced a string of Joint Council decisions that the court ruled were irrelevant to the issue of geographic jurisdiction between the two feuding locals. Local 705 argued in court "it consciously abrogated" the master board before the drivers' grievance in January 1983. When the plaintiffs learned of this "conscious" abrogation they filed a complaint under Title I of the LMRDA (Labor-Management Reporting and Disclosure Act), arguing that because under Article 16, Section 4 of the IBT Constitution Teamsters have a right to vote on all contracts and modifications, the elimination of the board was illegal. Thus, by secretly eliminating the master board, Local 705 interfered with the members' right to vote.

A vote of the members followed the settlement of the case, and that vote reaffirmed that a majority wanted to stick with the master board. As well as protecting their own rights, these Local 705 members have also won a valuable precedent—that a past practice is a contract term that can only be modified by a secret ballot vote. As TDUer and Scot Lad Driver Archie Cook put it: "We stood up for our rights, stuck together and because of that we won. That's what it's all about."

Contact Your Local COSH Group

The following states currently have Right to Know protection, over and above the federal standard. Those in bold type have broad coverage that is likely to cover transportation workers: Alabama, **Alaska**, California, **Connecticut**, **Delaware**, **Florida**, **Illinois**, **Iowa**, Louisiana, Maine, **Massachusetts**, **Maryland**, **Michigan**, **Minnesota**, Missouri, **Montana**, **New Hampshire**, New Jersey, New Mexico, **New York**, North Carolina, Oregon, **Pennsylvania**, **Rhode Island**, **Tennessee**, **Texas**, Vermont, **Washington**, **West Virginia**, Wisconsin.

For more information, members in some states can contact local Coalitions on Occupational Safety and Health (COSH groups):

BACOSH (San Francisco Bay Area)
(415) 482-1095

LACOSH (Los Angeles)
(213) 749-6161

SacramentoCOSH
(916) 444-8134

SCCOSH (Santa Clara Center)
(408) 998-4050

ConnectiCOSH (Connecticut)
(203) 789-7783

CACOSH (Chicago)
(312) 939-2104

MaryCOSH (Maryland)
(301) 467-3666

MassCOSH (Massachusetts)
(617) 277-0097

SEMCOSH (Southeast Michigan)
(313) 961-3345

CNYCOSH (Central New York)
(315) 437-9401

NYCOSH (New York)
(212) 627-3900

NCOSH (North Carolina)
(919) 286-9249

ORVCOSH (Ohio River Valley)
(513) 541-0561

PHILAPOSH (Philadelphia Project)
(215) 386-7000

RICOSH (Rhode Island)
(401) 751-2015

TNCOSH (Tennessee)
(615) 525-3147

WISCOSH (Wisconsin)
(414) 643-0928

TDU on the Move

Early 1987 has seen some excellent activity by TDU chapters and members. Dozens of meetings have been held, recruitment is growing and distribution of *Convoy Dispatch* is on the upswing.

In late February and early March TDU National Organizer Ken Paff travelled to California, meeting with TDU chapters and members.

Sacramento TDU drew 60 people to a meeting on February 28. TDUer Mike Tobin notes that this is at least as many as attend the Local 150 union meetings. Many crafts and shops were represented at the meeting and plans are in the works for the upcoming Local 150 election.

Bay Area TDU had an informal social gathering on March 1 in Tremont to get a report from the TDU National Organizer and to exchange information on happenings in the many locals in the area. One sign of TDU growth was the presence at the meeting of supportive officers and BAs from seven locals from the chapter area.

Modesto, California was the site of a first-time organizing meeting. A committee of members is carrying the ball in this area, with good chances for growth in the coming months.

In **Fresno, California** some 65 Teamsters came to the chapter meeting and discussion focused primarily on the UPS Contract. A dozen new members joined at the meeting and immediately after. Part of the chapter's plan is to spread the word on TDU to other areas in the central valley of California.

New High Desert Area Chapter

In the **High Desert Area** outside of Los Angeles, a new TDU chapter is emerging and two meetings were held to recruit new members and get feedback from the membership. Over 2,000 freight Teamsters work at the breakbulks and relays in this area. Already 100 have joined TDU—including dock workers, line drivers, office workers and garage people. A good number are experienced union members and stewards. Los Angeles area TDUers are working to establish ties with this group and more growth is expected.

In **Los Angeles**, 50 TDU members met at a meeting to discuss developments in the union, the upcoming contracts and TDU's progress in Southern California. Carhauleders were on hand to thank TDU for the recent drug-testing court victory, and a report was also heard on the trusteeship attempt in Local 896, the statewide local of brewery and soft drink workers.

San Diego discussed with the organizer plans to form a chapter in their area, where TDU is starting to grow.

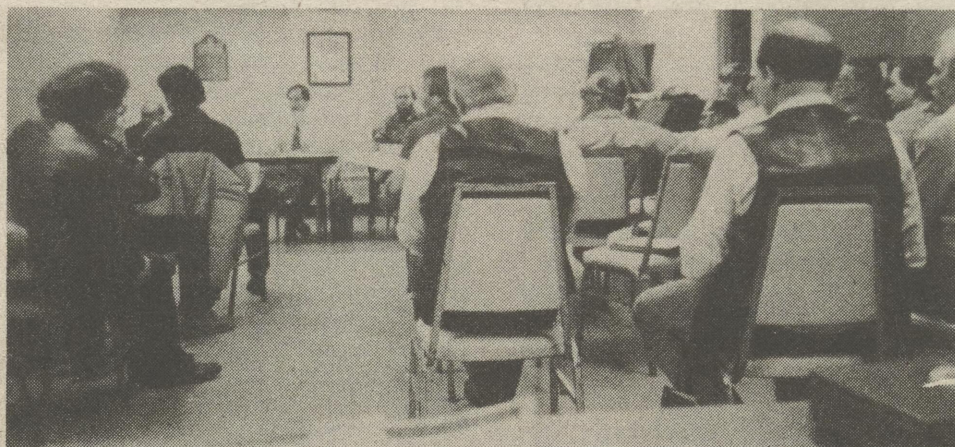
California members contributed over \$1,000 to TDU during the trip, more than covering the travel and other costs. That's the spirit that builds TDU!

New Mexico Local 492 TDUers are making it clear that other areas in Western States are active. These members recently completed the first issue of their chapter newsletter and are setting plans for building their chapter over the coming months.

Midwest on the Move

St Louis TDU 600 sponsored a memorial dinner for Cliff Coonley on March 7. Cliff, a dedicated TDUer, passed away on November 11, 1986. The event was attended by St Louis TDUers, members of the family, and Rick Smith from the Detroit office. Memorial plaques were presented to Mrs. Carol Coonley from both the TDU Chapter and Local 600.

Milwaukee, Wisconsin hosted an organizing meeting and educational workshop on February 22. Some 40



Wisconsin Teamsters attending the educational workshop and organizing meeting on February 22.

Wisconsin Teamsters attended and plans were discussed for re-building TDU in the Milwaukee area. On hand were members from a number of barns and companies, as well as UPS members from Janesville and Oshkosh. Also attending were reporters from the Milwaukee Journal and a local TV news station. Good coverage of the event resulted, and growth for TDU looks good over the coming months.

Detroit, Michigan Teamsters at Waste Management (Local 247) conducted a very successful meeting on Sunday, February 19, despite some tricks pulled by their local. The meeting had been set for 10 am, but lo and behold, the local was suddenly overcome with the need to have a meeting at the same time! TDUers at Waste Management quickly rescheduled and the majority of those at the union meeting came to their meeting and promptly signed up as members. Detroit Local 243 members at UPS are keeping up their good work of informing co-workers. Their newsletter, *The Right Idea*, is now entering its second year of publication.

Cleveland Area TDU reports that their March 14 educational meeting on drug testing was very successful, though a snowstorm cut attendance. TDU attorney Barbara Harvey spoke on problems with drug testing and solutions to them, and also an expert on substance abuse programs spoke on resources available in the Cleveland area and on employee assistance programs. One member called in to tell CD that "all of us left feeling that we learned a hell of a lot."

Southern Activity Growing

Tupelo, Mississippi. National organizing around the upcoming UPS contract got a boost from a TDU meeting held on March 8 in Tupelo. 30 UPSers from centers throughout northern Mississippi were present to

discuss the campaign and make plans for their area. The South was relatively untouched by TDU during the last two UPS agreements, but recent organizing has created a network of UPSers throughout the Southern Conference, boosting TDU's presence in the area. Thanks go to many Southern feeder drivers for their outstanding efforts at spreading the word.

Jackson, Mississippi. TDU organizing in Local 891, which covers the entire state of Mississippi, has really taken off in the past year. Beginning with freight Teamsters in Meridian

and Jackson, TDU membership has increased greatly. An early January meeting drew 30 freight and UPS Teamsters to discuss both the freight and UPS contracts, and to establish a TDU chapter in Local 891. Follow-up meetings are planned for the spring.

Montgomery, Alabama. TDU/UPS members in Alabama Local 612 have done a great job organizing for a better

contract. At the local contract proposal meetings, members prepared handouts on their contract suggestions and made contract comparison charts (prepared by TDUers in Tampa) available to all. 50 UPSers met in Montgomery at a January TDU meeting to discuss the contract and prepare better local organization.

The Carolinas. An organizing swing through the Carolinas in February resulted in a TDU organizational drive in Greenville, South Carolina, and a very successful meeting in Wilmington, North Carolina which attracted 35 UPSers from Local 391.

Orlando, Florida UPS members are conducting a successful TDU recruitment drive in their area, and also tell CD that they are considering plans to set up a fund to aid UPS Teamsters.

Allentown, Pennsylvania TDU hosted a two day leadership program on February 28. The meeting brought together TDUers from eight locals. Sessions focused on the trucking industry and on the TDU movement. A leadership committee was set up and plans made for intensive organizing in Central Pennsylvania.

New Jersey has hosted two very successful TDU meetings over the last month. In early February a successful grievance workshop was conducted, with a solid turnout from many locals. On February 22 nearly 60 carhauleders from eight different terminals and four different New York and New Jersey locals had a very successful meeting.

More TDU on the Move
on page 11.

Presser's Commitment to Women Teamsters?

Frozen Two-tier Hurts Freight Clericals

In 1985 Jackie Presser sent a letter to 200,000 freight Teamsters, urging them to vote yes on his proposed contract. He wrote to us, "Let me emphasize that *this agreement does not create a two-tier wage structure.* (It) does not create two separate permanent wage rates for our members working under this agreement."

The facts are rather different. Clerical employees covered by the Western States Agreement, the largest office supplement to the NMFA, are receiving more than \$2 under scale with a permanent two-tier, called "Appendix C."

Appendix C in the 1982 contract states that the lower wage shall apply to all new hires who have "less than one (1) year's experience in the trucking industry office classifications." There is no progression clause, no matter how long you stay at the job. Then, in 1985, a sneak attack made the contract worse. It states the bottom tier "shall apply to all new hires and casuals," even experienced Teamsters.

Some Teamsters employed at Yellow Freight in Barstow, California have worked side-by-side for over four years with their higher paid co-workers,

stuck on the lower tier. Of 31 office workers, only eight get the regular scale. Article 20 calls for a "Fair Day's Work for a Fair Day's Pay." TDU members do not call this arrangement fair.

When this matter was brought to the attention of local union officials, their attitude was one of disconcert, saying that's the way the contract is. Since Local 63's freight director, Bobby Aquino, is one of the negotiators, he should be in a perfect spot to correct this.

Jackie Presser has stated there are no two-tier wage scales in the NMFA. Mr. Presser is either unaware of the Western States Agreement, or a liar. Which is it, Jackie? He's also stated he is going to organize more women into the Teamsters Union. We suggest that he start right in our largest contract and represent women Teamsters in freight offices, by eliminating two-tier wages (we understand they are in the Michigan Supplement, too). And also by organizing all the freight offices in the union, and signing all to the NMFA. This will strengthen our union for all freight employees.

—Submitted by High Desert TDU

Detroit Local 247

Waste Haulers Beat Doubletalk

Refuse haulers make up an important part of Detroit Local 247. In recent months stewards and members at Waste Management Inc. (WMI) have demonstrated a remarkable unity along with alertness and initiative to defend and improve their conditions. Unfortunately, this action on the part of the rank and file received a lot of double talk and resistance from the local.

Waste Management bought out a small non-union outfit, Reitzloff, early in 1986 in an attempt to undercut union conditions at Waste Manage-

ment. Realizing this, Waste Management stewards Jerry Beavers and Tom Cherry and others immediately went to the workers at Reitzloff and signed them up into Local 247. WMI had bought out several small refuse companies in the past, which were all added to the WMI contract. This time WMI insisted on bargaining separately with the Reitzloff members, because they wanted to establish an incentive pay system in the area, whereby the refuse haulers are paid by the stop, not the hour. With this in hand, WMI could introduce it into their own contract next bargaining round.

The local refused to confront management on this obvious tactic to bring down everyone's conditions. They told the Reitzloff members that they could not expect any help from WMI employees.

Several WMI employees contacted TDU and received help on legal matters and in organizing for a show of support to their Reitzloff brothers. A leaflet was issued from the WMI

employees to the Reitzloff members pledging their total support. Letters and petitions were sent to the Local 247 Executive Board. The local refused to let the WMI stewards in to oversee the Reitzloff ratification meetings. They even denied the WMI stewards into the meeting after a motion was made by the Reitzloff members to let them in. The Reitzloff members held firm and rejected their contract offer.

On March 15 at a TDU meeting, over 50 WMI and Reitzloff employees showed to cement their solidarity and to make plans to get a better deal for the Reitzloff members.

Finally, Reitzloff members did get a better deal on their contract. Although they still had the incentive plan, their base rate (figured hourly) was moved up, protecting them from abuses on the incentive program. In the end, perhaps the most valuable lesson learned was that through communications and unity everyone could get a better deal. It's unfortunate that the union acted as an obstacle instead of supporting the idea of solidarity.

Concessions Stopped at Hall's Motor

In mid-March Teamsters at Hall's Motor in Pennsylvania overwhelmingly rejected concessions of some \$5 per hour that Presser's National Freight Negotiating Committee had recommended. Wages would have been lowered from NMFA levels to \$10 per hour for city and dock and 24.5c per mile for road drivers. Hall's Motor closed most of its operations last year, but still operates as an intrastate carrier within Pennsylvania, employing about 70 Teamsters, who work under the NMFA.

The concessions were supposed to keep the company in business, but most Teamsters felt such giant concessions, down to non-union wage levels, would only serve to undermine the national contract and hurt other union carriers as well as Hall's employees. There were also such concessions as elimination of all sick days, half of holidays, a greatly reduced vacation schedule and more.

The International Union at first sought to have only those employees currently working vote on the agreement, in defiance of policies set for the NMFA. But they backed down, and laid-off Teamsters were permitted to vote and take part in the rejection of Presser's latest concession package.

Peoria and Milwaukee Jobs Stolen

Tragedy of Aurora Fast Freight

Organizing non-union freight companies is not an easy job, as the recent effort to organize Viking in California shows (see story page 4). But the job is made all the harder when locals fail to work together and the International offers no help. That's exactly what happened in the case of Aurora Fast Freight workers.

In 1983 Aurora Fast Freight workers in Milwaukee were approached by Local 200 BA Howard Lewis to join the union. In December of that year the five Aurora workers voted to go with the union. They had good reason: they were making only \$9.75 per hour, had no pension and poor insurance. They looked forward to their first contract. Fortunately, they did not hold their breath, because for nearly two years

no progress was made.

Finally, in November 1985, Lewis told them they were on strike. They struck, as did other small terminals in Peoria, Illinois and St. Louis. However, the largest terminal, in Aurora, Illinois (represented by Local 423), signed a new contract and continued to work. On the advice of Red Fularczyk the Milwaukee workers joined Peoria members in setting up a picket line at Aurora, Illinois in an attempt to stop this scabbing. Their line was broken by the Local 423 members.

Then on November 28, 1985, Local 200 told the Aurora workers that the strike was over. They were to return to work with the same rate of pay and same benefits (or lack thereof). "We could not believe what had happened," Milwaukee steward Jim Stenson stated. "We all believed in the Teamsters."

When a strike is called off, the

Presser Trial Date Is Set

On March 9, Cleveland Federal Judge George White set the trial of Jackie Presser, Harold Friedman and Tony Hughes for August 10, 1987. At the same hearing more was revealed about Presser's defense by his attorney, IBT General Counsel John Climaco.

Climaco complained that the Justice Department is holding documents which will show that FBI agents authorized Presser to pay his relatives and organized crime figures as ghost employees. The plot is likely to thicken as more comes out about Presser's role as a paid FBI informant. Presser is now claiming in court that he paid the ghost salaries because he was "authorized" by the FBI.

Churchill Drivers Win

Cleveland Churchill drivers are happy to report that the struggle to defeat the sweetheart deal signed by Presser assistant Bobby Kavelec has been won. As of March 1, they are no longer members of Presser's ghost Local 507. They have been transferred into Local 407, and are under the NMFA with no rider or side deal of any kind.

As we reported in December, the Churchill workers were forced last year under a cut-rate contract, \$5 an hour under NMFA scale (\$9 per hour, 25c a mile). A concerted struggle there, including NLRB charges, has resulted in complete victory.

As we stated in *CD* last year, "All freight Teamsters have a stake in the outcome of this fight, because if this deal isn't stopped, it will surely spread. Other carriers will want to get in on the bargains given out by Presser." And that is why this victory is so important.

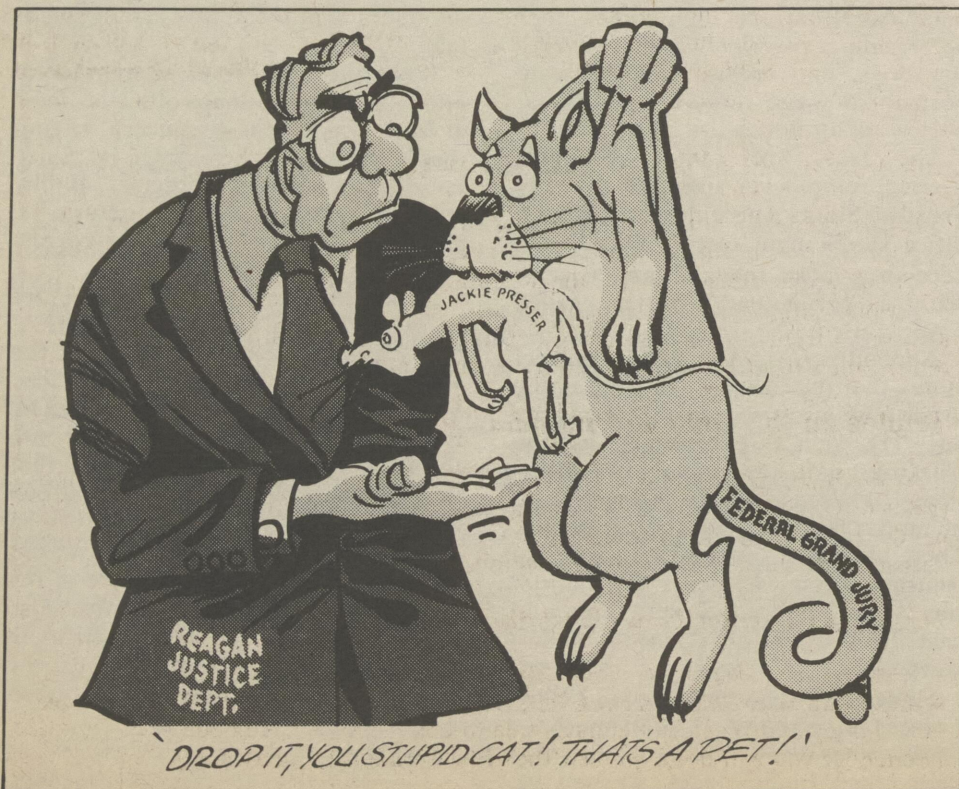
employer is required by law to take back any strikers who have not been replaced. But, instead of taking them back, Aurora told them no work was available. In Peoria they said the same thing, where about twelve Local 627 members had been on strike. As of today only one driver is working out of the Peoria terminal. Where did all the work go? Aurora, Illinois drivers under Local 423 began taking the work of the Peoria and Milwaukee men—thanks to the sweetheart deal signed by their local, and the lack of action on the part of the International Union.

No Reply from Presser

Twice, Stenson and co-worker Robin Richard filed charges with the NLRB. They also wrote to Jackie Presser on December 29, 1986 asking him to take action. Thus far, they have received no reply.

Milwaukee employees were finally called back to work around August 1986. The company promised to give them the same pay and benefits. This promise was broken, as well. The pay was the same, but they weren't paid time and a half until after ten hours of work, got no vacation at all, and their insurance deductible rose to \$300 from the previous \$200. Even worse, Aurora, Illinois workers were placed above the Milwaukee men on the seniority list.

Charges with the NLRB are still pending, and a hearing has been set for the end of March. Stenson and others are determined to right the many wrongs that have been done to them, going it alone since the International, local and others have failed to come through. This is a personal tragedy, but it is also a tragedy that our union cannot tolerate if we are to be respected, and if we are to be able to organize the unorganized.



Focus on 1987 UPS Contract Issues

Strong Protections Needed on Air Operation

Since 1983, when it was initiated, the UPS Next Day Air delivery service has become a successful and profitable operation. Total volume of air packages soared to one million in 1985. With an established route and sort system, UPS has been able to compete strongly with air-delivery services like Federal Express, Postal Service and others.

Based on this early showing, UPS air delivery is likely to grow drastically over the next several years. This growth could mean increased strength for our union and contracts, the creation of jobs, or, depending on the direction of contract negotiations this spring, it could mean deeper concessions, weaker contracts and loss of permanent, fulltime jobs.

Concessions Already Rampant

Little known or discussed is the fact that the new NDA operation was built on the back of concessions. When UPS opened their giant air hub in Louisville in 1982, the IBT gave them an incredible gift—a sellout contract to beat all sellouts. It contained (and still has) the following provisions:

- *No set workweek.* "The workweek for air operation employees shall

consist of any five days within a seven day period."

- *No daily guarantee.* "Air operation employees shall not have a daily guarantee."

- *No break periods.*

- *No set - start times.* "Start times may be adjusted to coincide with the arrival and departure of planes."

- *50% of fulltime health benefits.*

As the air operation grows, so will the number of jobs. UPS is currently building an air hub in Philadelphia. Over the coming years the number of air hub workers could grow into the



thousands (1,000 currently work in Louisville). Why should thousands of UPS Teamsters be subjected to conditions worse than many non-union companies?

Many jobs also exist (and more will) at the receiving end of the NDA operation, at airports where the igloos are unloaded, the packages sorted, etc. UPS has already shown its desire to make this a non-union operation. New Hampshire UPSers were successful in beating back a 1986 UPS attempt to replace union unloaders with non-union unloaders. Detroit UPSers are currently faced with a UPS move to get non-union Miami Air employees to help in the trailers. Clear language needs to be drawn up covering this end of the operation, and preventing the influx of non-union workers.

Delivery

In 1985 UPS and the IBT imposed without a vote a provision for part-time drivers, paid at a lower rate of pay, to deliver "late" NDA packages. Many locals went along with this, many others have not (including New York City, Cleveland, Detroit, Oakland and others). Opinions are mixed on the use of these drivers, with some feeling that

it is not a danger to fulltime jobs. The 1987 contract is the time to make sure that it isn't, by inserting language that protects fulltime work.

Weekend Work

A number of air delivery services currently have Saturday delivery. Indications are that UPS is interested in setting up a weekend operation, possibly at straight-time pay. Again, what steps are being taken to ensure protections?

These and other questions need to be raised over the coming months. UPS is positioning itself to spread the concessions they have already gotten on the NDA operation and to win more. We need to look down the road and use the power of our vote to stop further erosion of our contract.

Unity with Postal Unions Needed

I am interested in finding out about the UPS contract which comes up about the same time as our Postal Service contract. I have enclosed a check, which I hope will cover the cost of sending bulletins or whatever other information TDU may put out on this issue.

As I see it, the major issues in the Postal Service contract this year will be pay increase, compression of pay steps for new employees, working conditions, better system of route evaluations and adjustments, safety program (or lack of), better enforcement of steward rights, more restriction on forced overtime, and further restriction on use of casuals. As you can see, these are many of the same issues faced by UPS workers, and what happens in one contract will undoubtedly affect the other. In addition, both employers are using some of the same tactics, such as fear of competition. I appreciate you keeping us informed on UPS and wish you success.

Jim Zozzaro

Steward, Letter Carriers Branch 308
Milford, Massachusetts

Philadelphia Local 623 Preloaders Stop Loss of Protected Fulltime Inside Jobs

John Braxton

Preload, United Parcel Service
Local 623, Philadelphia, Pennsylvania

Philadelphia Local 623 members have succeeded in preventing UPS and their local union officials from eliminating their guaranteed, fulltime, inside jobs. While in most parts of the country sorting and preloading is performed almost exclusively by part-timers, Philadelphia and some other Eastern Conference areas continue to have a number of protected, fulltime, inside jobs.

UPS had hoped to eliminate these fulltime preloaders in Philadelphia and replace them with \$9 per hour part-timers. For the time being, however, UPS has run into a roadblock.

Local 623 officials, to their credit,

had resisted a number of UPS' efforts to get rid of the fulltime preloaders. UPS finally wore down the local officials by offering to transfer jobs from the jurisdiction of other locals into Local 623, which currently has only 550 members. UPS also offered to let the fulltime preloaders take driving jobs, an option they had not had for the past five years due to language negotiated into the last contract by UPS and Local 623 BA Rick Opaleski.

Discussion of the job-elimination deal began in secret last fall. In late December local officials and UPS announced the deal was completed—without any discussion or vote by the members. The preloaders did not take this violation of their rights (and the IBT Constitution) laying down. They contacted TDU attorney Arthur Fox.

He, in turn, notified UPS and the local that the deal was null and void unless approved by a secret ballot vote of the members.

Still, the local refused to yield. Preloaders then circulated a petition demanding a vote. They also contacted UPS Division Co-Chair Dan Darrow, and three of them filed internal union charges against the entire executive board. Finally, on February 25, UPS announced that the deal had been rescinded.

Angry over this victory, UPS is now telling ten preloaders who had taken driving jobs that they will have to return to the preload. Grievances are being filed over this management effort to divide the members, and the preloaders are backing the ten members' rights to stay on as drivers.

UPS and Downs

People's Workshop Real Purpose to Get "Yes" Votes.

A former UPS manager (who was fired because he didn't fit the UPS mold) has confirmed that the People's Workshop series had no basis in sincerity. He tells us that top management was up front about the fact that the workshop was created because UPS is worried the "no" votes will keep increasing on contracts. On the last "real" contract (1982), 47.4% voted no. Take note: UPS understands our power. Isn't it about time we did?

Locals Warn Against Signing Medical Information Release.

UPS Teamsters are confronted with a "Medical History Form" that pries into their background and warns that immediate dismissal will result through omissions or false statements. The form also includes a release statement giving the company a right to all previous medical information. In California, Oakland Local 70, Fresno Local 431 and others are advising members to consult with the union about signing this release and are also distributing letters of "Revocation of Authority"—a form that is submitted to the company making any previous releases null and void.

Wisconsin UPS' Way of Saying Happy Holidays.

A UPS management letter has surfaced in Wisconsin that shows how UPS got into the Christmas spirit. The note is addressed to "Our Business Friends" and tells them that, "the acceptance of a gift by any of our people is a serious infraction of company policy, and we ask your cooperation by refraining from any such offering." But then, this grinch-like spirit doesn't differ much from year-round policy toward employees, does it?

Triples on the Ohio and Indiana Turnpikes.

At the beginning of March UPS began using triple trailers on the turnpike (I-80) in Ohio and Indiana. This is a good reminder that contract language needs to be inserted concerning pay scales, safety and other issues surrounding the use of the longer combination vehicles.

National Contract News Distribution is Underway.

Throughout February and March the UPS Committee organized widespread distribution of the *UPS Contract News* bulletins. Major hubs from New Jersey and Western Pennsylvania to Los Angeles have been hit. More is needed. If you can help, contact the UPS Committee today.

Short Layoffs or Lifetime Concessions

Carhaulers on the east coast and elsewhere are angry over the spread of new running mile deals, mostly between the midwest and the east. The situation will get worse unless there is a correction in a very dangerous line of reasoning held by the few local officials and members who are approving these deals. They argue: "The economy is slowing down some, but I can avoid a layoff if I agree to take this traffic at the running mile rate." Unless combatted, this thinking could lead to permanent cuts in everyone's conditions, since it seems likely auto sales will slow, and GM will reshuffle a number of production lines.

In February, both Janesville Auto Transport and Jack Cooper began hauling traffic on the **running mile out of Tarrytown, New York** despite the rejection of this deal by Tarrytown drivers. Previously, Tarrytown had hauled some of this traffic on a full/half basis. There are rumors similar moves will be made in Wilmington, Baltimore and Framingham.

Last fall JATCO also started hauling on the **running mile out of the port of Providence, Rhode Island**, despite rejection by M&G drivers there. Some of this traffic had previously been hauled full rate/half rate.

At their February union meeting, Tarrytown drivers vowed to take their protest to the National Grievance Committee, and to ask for strike sanction if they are not made whole within thirty days.

Recently, drivers at both **Tarrytown and Warren, Ohio** rejected a proposal that full-rate traffic between them be reduced to full/half. We hear now that management is saying there may be no work in three months, and has encouraged a petition asking for a re-vote.

One piece of good news: Many

Tarrytown drivers were looking favorably on a full/half deal with **Smyrna, Tennessee NuCar**, similar to their deal out of Norwood, Ohio. But when BA Jim Dorey reported that Smyrna NuCar drivers had said no, the vote was 106-1 against. Hats off to Dorey and the Tarrytown members.

Carhaulers face a difficult year with a slowdown in car sales, a possible UAW strike this fall and big changes at GM. Carhaul management has manipulated and lied to us so often, it is ridiculous to accept their word on a good faith basis. And our top union leadership has more often been part of the problem, not part of the solution. But there are a few guidelines that can minimize the damage:

1. Demand management back up any claims of economic necessity by letting us see the books, as we are entitled to by law. Make them put their threats or claims in writing.

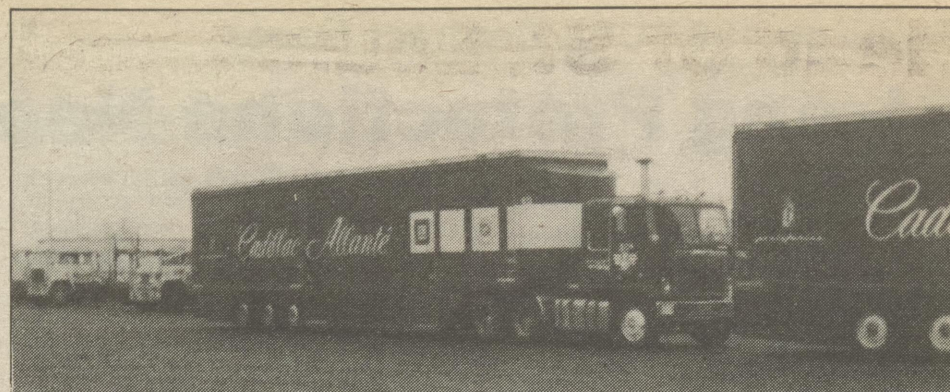
2. Remember, if management is rushing a vote they've got something to hide. Stop and think before you vote.

3. Think how your action will affect others and communicate with them.

How to Fight Mileage Shortage

The cutting of mileage that is already short is one way that management steals back the pay increases we get. A shortage of just five miles can cost drivers \$3.60 on each round trip. Multiply this by hundreds of drivers, over a number of years and it adds up to a big loss. Challenging incorrect mileages takes some work, but it's worth it.

The first step in challenging short mileage is to consult your conference



Allante Double-Breasting

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The fact is that Ryder's chief manipulator, Ralph Thompson, would not have embarked on this scheme unless he was certain of the support of the union's national carhaul chairmen. And Shea, Presser and the others depend on the support of local officers like Owens. Neither legalistic arguments or private pleading will stop Presser and Co. from siding with management. They will only be deflected by the knowledge that if they push too far they will face a rebellion during the 1988 contract negotiations.

As a New Stanton, Pennsylvania M&G driver recently told CD, "You can't buy peace with management."

You give them a nickel and they want a dime. Give them half rates and they want the running mile. Give them the running mile and they want sleeper teams. They gave us the right to vote on cut-rates and then made it meaningless."

To fight this and other attacks against the carhaul contract, and to prepare for the 1988 contract, a national carhaulers' conference has been set for the weekend of May 1-3 in Ohio. If you care about the future of our contract and union, make sure a delegation from your terminal is there. Registrations must be made in advance. For more information, or to register, please call (313) 842-2600.

Stung by Legal Victory, Carhaul Management Promotes Confusion Over DOT Drug Tests

Stung by TDU legal action blocking the introduction of unfair and unreliable drug testing, carhaul management in some areas is continuing to require tests with DOT physicals. Members are no longer being discharged, but management claims authority for the continuation of testing under an interim DOT guideline. Because they know they are on shaky legal ground, they are refusing to issue a clear explanation of the policy to employees, supervision or even the doctors doing the tests. The result has been widespread confusion. TDU attorneys are currently working to clarify this situation.

Despite carhaul management's response to the TDU legal victory, carhaul Teamsters still have much more protection than under the former program. For example, consider the case of an 18 year, Yellow Freight road driver who was fired under the freight drug testing program (which is still in effect). The company claimed that he had a 32 nanogram, positive test for marijuana (1/3 of the level used by

Greyhound). He has a clean record and his own doctor's test showed he was clean. In addition, a university toxicologist says the company's lab read the test wrong. Nevertheless, he was fired and labeled a drug user. Thanks to the elimination of the similar program in carhaul, this could not happen to a carhauler.

A CCI driver tested positive at 45 nanograms, due to a prescription drug. A supervisor said he would not be allowed to drive until he could pass the test. (Under the previous program he would have been fired.) In fact, he was back on the job hours after the supervisor was informed by the steward and higher management that the DOT's positive level for decertification was 50 nanograms. Both the contract and the DOT have procedures for appealing disputed test results.

In union-management discussions conducted in response to the TDU legal win, Walter Shea proposed to the companies that any reference to discharge over drug testing with the DOT physicals be dropped. Manage-

ment refused. Called into question by the drug testing programs in freight and carhaul has been the conduct and the motives of our union officials and management. Instead of dealing constructively with the problem of drug and alcohol abuse, they have chosen to use the faulty programs as a tool to fire high seniority drivers and as a PR stunt to boost the image of Jackie Presser.

Even when the Household Movers'

ment refused.

In the long run, the cost of this mistake will continue to grow. Drug abuse is both an individual tragedy and a serious social problem. What is needed, and what TDU supports, is a humane program which stresses rehabilitation and protects the rights of innocent members.

The right step for both management and top union officials to take now would be to admit mistakes have been made and start doing what's necessary to set things right — instead of fanning the flames of confusion and searching for different ways to fire innocent drivers.

Guide is used to compute mileages, problems arise. It is a violation to pay you over any routes that include any load-limit bridges, low overpasses (or high railroad tracks) or where truck routes are limited through cities. If you suspect that mileage is short you are entitled to know the routes used in the calculation. State departments of transportation can provide you or your local with official maps that indicate mileage and list the obstacles to truck traffic. Also, check with other drivers familiar with routes.

If your local fails to process a reasonable grievance, or fails to back up your request for more information from the company, charges with the NLRB may be possible.

Most stewards are swamped with work, on top of trying to make a living as a carhauler. To make the stewards' life easier and ensure that more grievances are handled over short mileage, consider setting up a volunteer committee to go over mileages.

A good example of using the NLRB to overcome mileage shortages is a case handled by Detroit Local 299. CCI had a past practice of informing the local of changes and reviewing them, but when AAA stopped providing official mileages CCI reduced the mileages to 5,000 dealers and refused to give the local the routes involved. The local filed NLRB charges and CCI was ordered to provide the information in 14 days and to discuss the changes with the local. Unfortunately, a new administration took over the local in the meantime, and they have failed to follow up on this legal victory.

**Protect Your
Future — Join
TDU**

Head of St. Louis Local Breaks Labor Boycott

Teamsters in the St. Louis area are angered by and ashamed of the actions of Local 688 Secretary Treasurer Ron Gamache and Local 688 President Paul Akers for their refusal to honor a boycott of the St. Louis Variety Club Banquet, which was honoring one of the biggest union busters in the area as man of the year.

The Variety Club is an organization which holds an annual telethon to raise funds for local charities. The labor movement in the St. Louis area was instrumental in getting the program off the ground. This year, however, the labor movement received a slap in the face from the Variety Club when they announced that Charles Knight, President of Emerson Electronics, was chosen as man of the year. Knight played an instrumental role in a five week strike at Alco Controls, a subsidiary of Emerson Electric. The labor movement announced a boycott of the proceedings to show solidarity for the striking Machinists at Alco.

Joint Council Responded to Solidarity

Teamster Joint Council 13 responded quickly to the call for solidarity and informed all locals within the Joint Council that the Joint Council's Executive Board, of which Gamache is Secretary-Treasurer, had unanimously decided not to participate in the Variety Club activities.

On the evening of the banquet, pickets were set up protesting the honoring of Knight, and in defiance of the Joint Council's decision and completely disregarding the picketers, Gamache, Akers and their wives crossed the line and went to the

banquet. The following day, in the St. Louis *Post Dispatch*, under the headline, "Variety Dinner Pickets Fail To Put Off Labor," the paper mocked the actions of Gamache and Akers, upsetting the entire St. Louis area labor movement.

Angry St. Louis Teamsters are wondering if an evening hobnobbing with Sammy Davis, Jr., Angie Dickinson, and the Dallas Cowboy Cheerleaders was worth more than a strong showing of solidarity from the labor movement against Knight.

Watsonville Victory

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the strike. People spent the weekend trying to speak to and forge unity with the mechanics and higher skilled workers, to keep them from applying for work until a better contract offer was made.

On Monday it was clear that the work had paid off. Hundreds of strikers and supporters surrounded the plant in unity, and not a single striker broke ranks. Later that night the negotiations were resumed. On Tuesday, former Watsonville Canning management, in an attempt to bust talks between the union and Norcal, tried everything they could to provoke a riot, but calm prevailed. The strikers, mostly Catholic women, responded to the unionbusters' taunts with a traditional pilgrimage on their knees to St. Patrick's Church, where they prayed for justice.

On Wednesday, March 11, the strikers gathered once more to hear a contract offer. This time it contained medical benefits, and it was accepted nearly unanimously. The strike was over, and the victory more complete. Not only was it a triumph for the Teamsters and an example for the labor movement, but the strikers could now, after eighteen months on strike, take their children to the doctor when necessary.

After the votes were tallied, Carlos Hernandez, a leader of the strikers' committee, announced an impromptu victory parade that would march one last time past the cannery and through the center of town. Representatives from the International followed hundreds of strikers down the middle of Main Street, and for a moment they, too, recognized the power of the rank and file.

Atlanta TDU Action Stops Illegal Procedure Over Change in Local 728 Bylaws

At the February Atlanta union meeting the executive board proposed bylaw changes and announced that they would be voted on at the next meeting. At first it appeared the local was proposing a change to elected, rather than appointed, stewards. But TDU members, who had pushed for elected stewards in 1985 and gotten a lot of opposition from the executive board, were skeptical.

They requested the actual wording of the bylaw change and discovered that the word "appointed" was merely being changed to "selected." Not indicated was who would do the selecting. Also discovered were two additional negative changes—one requiring that members attend 50% of union meetings to be eligible for office and another that bylaws could only be changed once every five years (six months after the IBT Convention).

As it turns out Weldon Mathis (Local 728 president as well as secretary-treasurer of the IBT) should have read his own bylaws more carefully. They state that the local must notify the membership and call a special meeting to conduct a vote on bylaw changes. Reading a bylaw change to 40 members at a union meeting (which is all the local did) does not qualify as adequate notice. A special meeting was not called either,

and only quick action on the part of TDUs ensured that these guidelines would be met before a vote was conducted.

When asked about the big rush and lack of notification, Weldon Mathis

replied, "We made a mistake." It just goes to show, you can fool some of the people some of the time—but it's a lot harder when TDU is around. Next month, more on the Local 728 bylaw changes.

Second Eastern Massachusetts Meeting a Success

On Saturday March 7 the *Eastern Massachusetts/Rhode Island Chapter* held its second general meeting, with over 70 Teamsters attending. Karen Friedman, from Washington D.C. Pension Rights Center, spoke on rights under pension plan rules and federal law.

Local 251 TDUer Tom Toegemann spoke on the need for better benefits and the status of a lawsuit filed by New England UPS Teamsters. Since the New England plan is a multi-employer pension plan, brother Toegemann's main theme was that all Teamsters join in the fight for a fairer pension at all benefit levels.

As a result of the meeting a committee was formed to distribute pension-related information and to investigate how pension increases can be won for all New England Teamsters. Boston TDUer Neal Henderson

and Brockton TDUer John Welch closed the meeting with personal accounts of how TDU has helped them fight for contract enforcement and democracy in their locals. May 9 was announced as the next Eastern Massachusetts/Rhode Island meeting. Its topic will be drug testing, and attorneys from Detroit and Rhode Island will speak, as well as a doctor from Brown University's Medical School. Time and location of the meeting are to be announced.

Correction

The "Grocery Industry Giveback" article in *Convoy Dispatch* #68 contained an error in wording that made it seem that Boston Star Market Warehouse workers do not have a contract. They do, but do not have contract wording on production standards.

National Carhauers Conference May 1-3, 1987 Sawmill Creek Resort (On Lake Erie near Cleveland, Ohio)

Make plans now to be at this special conference. On the agenda will be: strategy for the 1988 contract; meetings by company; workshops on pension rights, drug testing, grievance procedure and owner-operator rights, and time for informal discussion and communication.

Call or write the Carhauers Coordinating Committee c/o TDU for full registration details. Register early to guarantee your room.

A *Carhaul News Bulletin* is currently in the works. If you have news, we need to know. If you are not on our mailing list, you need to be. How will you stay informed if you don't sign up?

TDU Meets

Atlanta

Saturday, April 4
7:30 pm
"How to file a grievance"
College Park Fire Department
Sullivan Road
College Park, GA

National Carhauers' Conference

May 1-3
Sawmill Creek, OH
Call (313) 842-2600 for more information

Nashville

Sunday, April 12
2 pm
Holiday Inn Southeast Airport
981 Murfreesboro Rd.
(Note: Changed location)

New Jersey

UPS Contract Meeting
Sunday, April 5
10 am
Irvington Polish Home
415 16th Ave.

New Jersey

Sunday, April 26
11 am
Rutgers University
New Brunswick, NJ

New York Area UPS

Sunday, April 5
2 pm
Location TBA
Call (718) 834-0631

Rhode Island/Southeast Massachusetts Steering Committee Meeting

Saturday, April 4
10 am
74 Pond Street
Bridgewater, MA
Drug Testing Educational Meeting
Saturday, May 9
Time and location TBA

St Louis

Sunday, April 19
(Immediately following Local 600 meeting) Amvets Post 88
North Broadway
St Louis, MO

Southern California

For Meeting information contact:
PO Box 1868
Lynwood, CA 90262

Toledo Local 20

Friday, March 27
7 pm
Steering Committee Election
Hillcrest Hotel
Madison and 16th Street
Downtown Toledo

Washington DC

Sunday, April 5
Time and location TBA
For information call (202) 785-3707

How Locals Inflate Officers' Pensions

At a time when many local unions are facing a financial crunch, a number of locals in the Western Conference are spending many thousands of extra dollars each year inflating the pensions for fulltime officers and BAs, up to *four times* as high as those of the members! And this is for just one of the three pension plans covering all BAs in the West.

The lucky few who benefit from this can really clean up. Instead of getting \$1300 per month (the current pension at age 62, with 30 years service, at the freight rate), if a BA jacks up his rate to \$2.84 per hour he can retire at \$2600 per month. And this is in addition to the two other plans, so that a long-time BA could be making in the range of \$5000 per month in retirement, even more than he made as a salary!

It's a good trick if you can do it. But consider the consequences: Sacramento Local 150 officers came into office two years ago and promptly voted themselves a big pension-contribution boost to get on the gravy train. It is estimated this act drained an additional \$30,000 per year from the treasury! (Roughly 11 BAs, times 2080 hours per year, times approximately \$1.30 excess contribution per hour.)

This scheme is often put into place quietly, without the members being aware of it. There are various ways to pull it off, but they all involve a high hourly contribution payment from the

local treasury to the Western Conference Pension Fund. The range is about \$3 (or even \$4) per hour for each BA. This compares to a rate of about \$1 for the rank and file in most locals. Higher contracts, such as the freight agreement, pay \$1.58 per hour.

One common trick is for a local to peg the BAs' pension to the contribution rate specified in the best construction industry agreement, such as the AGC contract. Because most construction Teamsters are seasonal, they have a higher contribution rate to compensate for only a partial year's credit. But a BA is not a seasonal worker, and this scam doubles the BA's pension! One secretary-treasurer told CD that many BAs concerned with AGC bargaining care most about the pension, as they are feathering their own nest in the deal.

Local 296 and 87 Lead the Way

Some locals lead the way in the deal. San Jose Local 296 and Bakersfield Local 87 are paying over \$4 per hour for each BA! Local 896, under the leadership of Joe Close, has a bloated rate of \$3.55 per hour, which is four times higher than his soft-drink members and twice as high as his brewery members. Close is near to retirement and politically on the ropes, so this self-charity may come in handy.

Some California officials with low-paid cannery workers as members

have pension rates over ten times higher than the rank and file. And even when new and reform-minded officers come into office, as in Salinas Local 890 and Stockton Local 601, they find out the pension fund does not allow them to reduce their rates to save the local money. They can only freeze them.

Former Local 890 Officers' Trick

The former officers of Local 890 used a nifty trick. Their rule was that they got the highest rate of any member in the local union—so they offered their office workers in the union hall a bloated rate of over \$3 per hour and then automatically applied it to themselves!

The joint council and conference also get into the act. The Western Conference pays a \$3.25 per hour contribution rate (more than twice the freight rate) to its officials and representatives.

It should be pointed out that many locals pay a fair amount. One experienced secretary-treasurer told us he estimates that 60% of Western locals do not inflate their officers' pensions out of the treasury. Los Angeles Local 208 contributes \$1.48 per hour for each BA and Denver Local 435 pays 91c, for example. Both have sizeable numbers of members who get higher rates.

The Western Conference Pension Plan allows locals to do this, while the Central States Pension Fund does not. Central States has a ceiling and will not accept payments into the fund above the freight rate of \$13.80 per day (\$1.72 per hour). There may be smaller Eastern Conference Pension

Plans where this scam is in operation, but we have not heard of any.

All fulltime local officers and BAs in the West also get two additional officers-only plans, for a total of three pensions each. One of them, the Affiliates Plan, is funded by our dues to the International Union and is more generous than any plan available to working Teamsters. In fact, this plan hogs the largest share of any item in the IBT Budget! (\$12.8 million in 1985). Another plan all BAs have is the Western States Representatives Plan. It is the largest item in the conference budget (\$1.02 million in 1985).

The Western Conference declined to provide funds to help the locals in the Viking Freight organizing drive (which ended 31 cards short of enough to call for an NLRB vote on unionizing), so you can see where the priorities are.

We believe all Teamsters have a right to know what is being paid out of their local treasury for BAs' extra pensions, and that it is high time to bring officers' pensions in line with those received by working Teamsters. We are creating a separate class of officers who look down on us and feel more in common with employers. Furthermore, we have good uses in our union for the millions now wasted on bloated, multiple pensions for a few people. Organizing new shops, supporting strikes, and educating our members, for example.

Merely complaining about this situation won't do a thing. Effective action will. First you need the facts on your local union. Second, you need to be part of the solution. Contact TDU if you are interested in either of these.

Smith's, Jones, APA/Sanborn Affected

Change of Operations Steal Teamsters' Jobs

On March 10, 1987 a Teamster official who is paid \$132,000 a year from members' dues met with employers at a Chicago hotel and signed away the jobs and seniority of 137 Teamsters. The official is Raymond "Red" Fularczyk, head of Milwaukee Local 200 and Chairman of the Central Conference Change of Operations Committee. The Teamsters are Smith's Transfer drivers and dock workers, and the story of how they got shafted is becoming all too common.

Change of operations in the freight industry are covered by Article 8 of the contract. This clause permits carriers to move domiciles and breakbulks, but only after gaining union approval through the change of operations committee. Transfers are supposed to be available for all those wanting to follow their work, seniority is protected and moving expenses paid. This language and protection is actually relatively good: the carriers get flexibility and jobs and seniority are protected. At least that is the way it should work.

The Smith's Teamsters are only the latest victims of what has become a kangaroo court. Instead of protecting

jobs Fularczyk and the union committee are letting carriers close and move operations and shift work to new hires making 70% of scale, getting no vacations and etc. Three recent change of operations illustrate this serious problem: Smith's Transfer, Jones Truck Lines and APA/Sanborn. All show how changes work for carriers and against members.

Charleston, West Virginia Smith's

Smith's is closing its Charleston breakbulk and line-haul operation, where 270 are employed on the dock and road boards. The company says 27 jobs will remain, but Local 175 members estimate the correct figure is about 20. Thus, 250 will lose their work to other domiciles. The company only offered to transfer 113 of these — leaving 137 without jobs. How the committee dealt with this situation discloses how little they did.

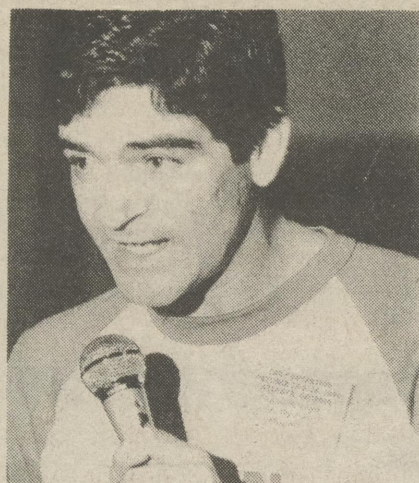
• In late 1986 Smith's opened a domicile and breakbulk in Winston-Salem and began hiring 70%ers there while laying off in Charleston. Article 8, Section 6(d)(1) of the contract

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JOIN TDU

Mike Ruscigno
Trustee, Local 138
Long Island City, New York

Our freedom in America we always take for granted. Our freedom in the workplace we leave for the union to protect. TDU teaches us how to protect our rights, and how our union can be democratic and work for the members. TDU educated me about laws I never knew existed, laws that give us rights as workers and as union members. Join TDU, become educated and aware of your rights. Protect your freedom.



Membership Application

Name _____ Local Union # _____
(please print)

Address _____

City _____ State or Province _____ Zip _____

Phone () _____ Company _____

City _____ Road _____ Dock _____ Clerical _____ Warehouse _____ Construction _____ Production _____

Other _____

\$25 membership fee—for one year's membership & subscription to CONVOY DISPATCH.
\$60 three year membership fee. (\$10 of this shall be rebated to the local chapter.)
\$15 for spouses; retirees; & Teamsters who gross less than \$12,000 a year.

Check or money order _____ Cash _____
Mastercard/Visa: # _____ Exp. date _____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210
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